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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,051	08/27/2003	Karsten Wiczorek	2000.108400	4956
23720	7590	07/13/2005	EXAMINER	
WILLIAMS, MORGAN & AMERSON, P.C. 10333 RICHMOND, SUITE 1100 HOUSTON, TX 77042			STEVENSON, ANDRE C	
			ART UNIT	PAPER NUMBER
			2812	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/649,051

Applicant(s)

WIECZOREK ET AL.

Examiner

Andre' C. Stevenson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on April 11, 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 1-11 and 23 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-22 is/are allowed.
- 6) ☒ Claim(s) 12-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


LYNNE A. GURLEY

PRIMARY PATENT EXAMINER
TC 2800, AU 2812

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

The objection to the specifications made in the office action mailed on 01/12/05, with reference to page 15, line 15, is withdrawn.

Applicants Arguments

Applicant argues, "Shimotsusa is not directed to assessing a reliability of a dielectric by determining failure events of the circuit elements as set fourth in independent claim 12".

The Examiner takes the position that the broad statement made in claim #12, "assessing a reliability of said dielectric by determining failure events of said circuit elements" can refer to any number of testing operations. The operation of turning the circuit on and having it not work (or work), could be a test of whether the circuit has had a dielectric break down; especially when considering that the area in which the dielectric is located has, in the past, been subject to dielectric breakdown, thus causing circuit failure. The applicant has failed to claim any subject matter that separates it from this broad scope. For this reason, the Examiner takes the position that this is not inherency, but evidence based on natural course. Thus, the Examiner maintains the rejection as being proper.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 12 through 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Shimotsusa et al (U.S. Pat 6,825,543 B2)

Shimotsusa et al (U.S. Pat 6,825,543 B2), for **Claim #12**, shows a method, comprising: commonly connecting first conductive regions (gates) of a plurality of circuit elements (transistors) of a semiconductor structure (**Fig. 3, item 2, column 10, line 10 through 13**) with a first electric potential (V_g) via (**Fig. 3, item 4, column 11, line 29 through 33**) a first common contact pad (**item 4a, shown below**); commonly connecting second conductive regions (**item 8, drains**) of said plurality of circuit elements (**item Tr1**) of said semiconductor structure, with a second electric potential (V_{DD}) via (**item 4c, shown below**) a second common contact pad (**item 4b, shown below**), said first and second conductive regions being insulated from each other by a dielectric (**fig. 8f – 8g**); and assessing a reliability of said dielectric by determining failure events of said circuit elements, (**column 35, line 31 through 41, line 47 through 54**).

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FIG. 3

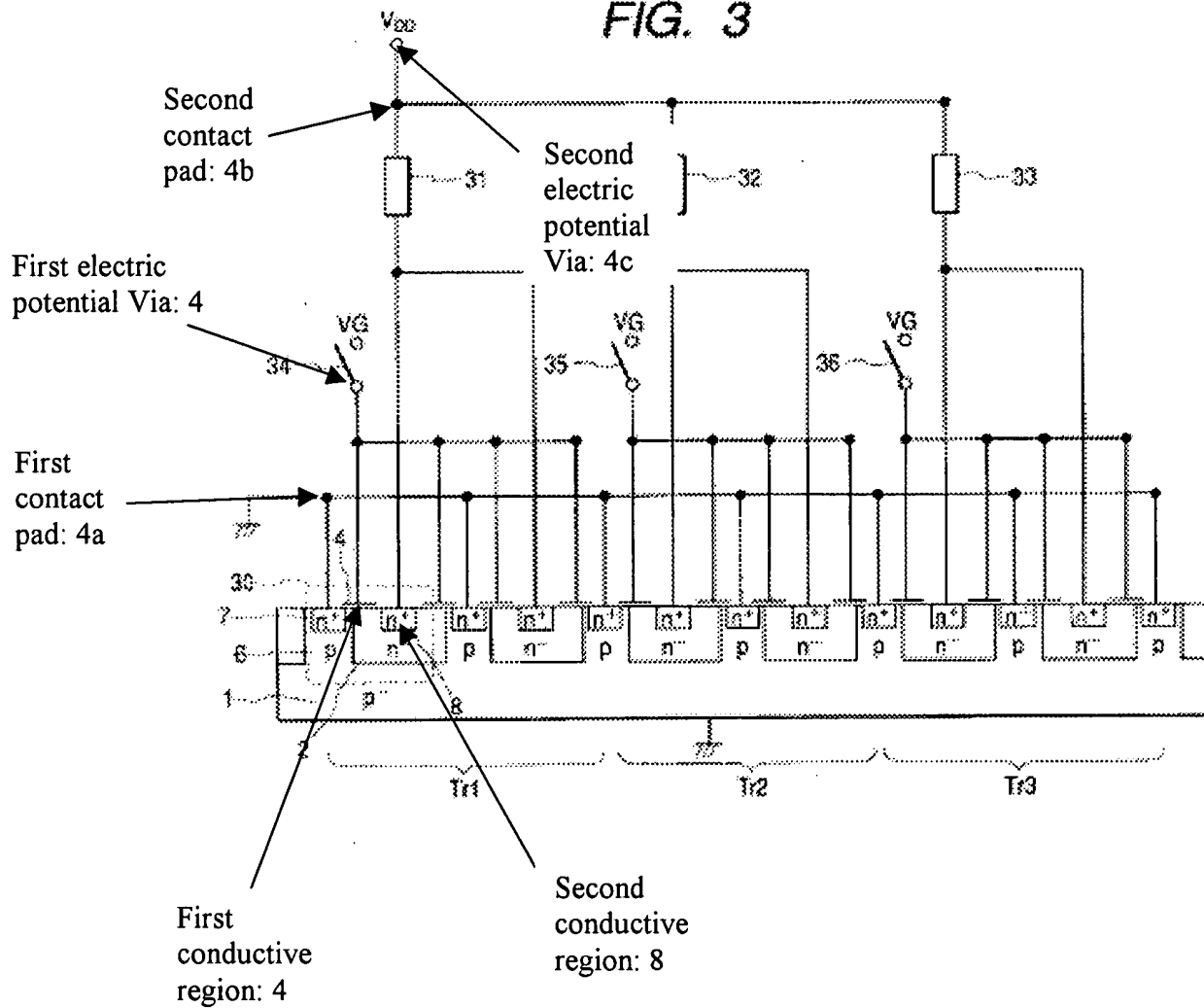
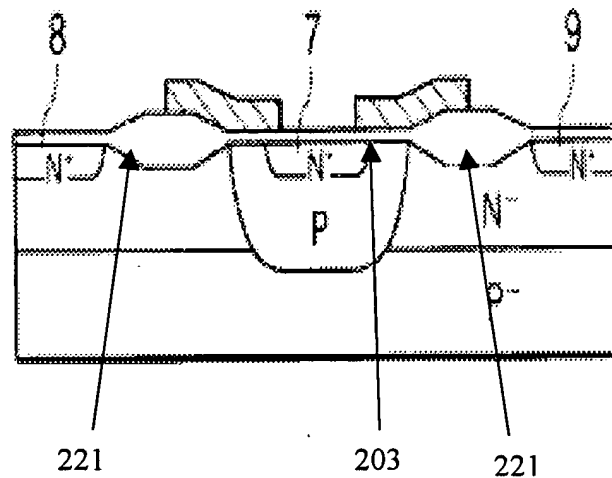


FIG. 8F

Field oxide (221), and gate isolation films (203)
See col. 14, lines 46-55.

With respect to **Claim #13**, the method of claim 12, wherein determining said failure events includes detecting abrupt changes of a signal indicative of a dielectric breakdown of said dielectric, is taught by Shimotsusa et al (U.S. Pat 6825543 B2), (column 10, line 55 through 60).

Furthermore, **Claims #14**, The method of claim 13, wherein said signal represents a leakage current through said dielectric, is taught by Shimotsusa et al (U.S. Pat 6825543 B2), (column 10, line 55 through 67, column 16, line 1 through 7).

Allowable Subject Matter

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The following is an examiner's statement of reasons for allowance: While the prior art teaches a first and second common connecting well region and first and second electric potential and contact pad for their connections, it fails to teach "connecting a common well region of said plurality of transistor elements to a third electric potential by a third contact pad" and "connecting an N-well region of said at least one P-channel transistor structure to a third electric potential by a third contact pad."

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claims 15 through 22 are allowable.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866 – 217 – 9197 (toll-free).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre C. Stevenson whose telephone number is (571) 272 1683. The examiner can normally be reached on Monday through Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Niebling, can be reached on (571) 272 1679. The fax phone number for the organization where this application or proceeding is assigned is (703) 308 7724.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308 1782. Also, the proceeding numbers can be used to fax information through the Right Fax system;

- 703 872 9306

Andre C. Stevenson


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TC 2800, AU 2812

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06/28/05